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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,003	11/18/2003	Juergen Plessmann	P03,0424	4209
26574	7590	05/02/2007		
SCHIFF HARDIN, LLP PATENT DEPARTMENT 6600 SEARS TOWER CHICAGO, IL 60606-6473			EXAMINER HOSSAIN, IBRAHIM M	
			ART UNIT 2145	PAPER NUMBER
			MAIL DATE 05/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/716,003	<b>Applicant(s)</b> PLESSMANN, JUERGEN	
	<b>Examiner</b> Ibrahim Hossain	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/01/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 11-20 and 22-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful and tangible result. The various steps data protection module, configured to output and searching are software constructs (software per se) performing various functionalities. These functionalities do not manipulate any hardware or tangible entity. Therefore, these software constructs are non-statutory entities as detailed in MPEP 2106.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites the limitation "remotely arranged maintenance computer" in claim 23 but not in claim 22, which claim 23 depends upon. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-16, 19-20, and 22-23 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Flaherty et al. U.S. (6,253,203).

Regarding **claim 1**, O'Flaherty discloses a method for accessing sensitive data comprising at least one of remotely transmitting and observing the sensitive data of an application computer comprising:

requesting access to the sensitive data that is a least one of remotely transmitting and observing the sensitive data (O'Flaherty, col.4, lines 30-41 and col.7, line 66-col.8, line12)

identifying constituent data parts requiring secrecy of the sensitive data (i.e. hidden information on the spreadsheet, O'Flaherty, col.8, lines 13-22)

excluding the constituent data parts from the access (O'Flaherty, col.4 line 47-53 and col.9, lines 53-65).

Regarding **claim 2**, O'Flaherty further discloses the method wherein excluding the constituent data parts comprises at least one of erasing anonymizing (O'Flaherty, col.7, line 66-col.8, line 4 and col.9, line 4-12) and pseudonymizing the data.

Regarding **claim 3**, O'Flaherty further discloses the method further comprising:  
storing information related to constituent data parts requiring secrecy in a reference databank (O'Flaherty, col.5, line 22-39)

wherein identifying constituent data parts comprises comparing the constituent data parts with the stored information related to the constituent data parts in the reference databank (O'Flaherty, col.5, line 22-39).

Regarding **claim 4**, O'Flaherty further discloses the method wherein the reference databank is selected from the group consisting of a name databank, an address databank, and a people databank (O'Flaherty, fig.2, 230,232,244,246, col.7, line 4-16, col.8, line 13-23 and 35-47).

Regarding **claim 5**, O'Flaherty further discloses wherein identifying constituent data parts is performed by utilizing a search mask (search mask the data in accordance with privacy parameters, O'Flaherty, fig. 2A, 260, col.8, line 5-12, col.9, line 13-23, and col.13, line64-col.14, line 2).

Regarding **claim 6**, O'Flaherty further discloses wherein the search mask is related to at least one of a date-specific format and an address-specification (O'Flaherty, col.9, line 13-23).

Regarding **claim 7**, O'Flaherty further discloses wherein identifying constituent data parts is performed by utilizing a data position within the sensitive data (O'Flaherty, fig.9, col.9, line 4-12 and col.15, line12-37).

Regarding **claim 8**, O'Flaherty further discloses wherein the data position is related to at least one of a name data field and an address data field (O'Flaherty, col. 4, lines 1-22 and col.9, line 66-col.10, line 6).

Regarding **claim 9**, O'Flaherty further discloses the method wherein the sensitive data comprises at least one of a screen content and a video frame (O'Flaherty, col. 7, line 66-col.8, line 22).

Regarding **claim 10**, O'Flaherty further discloses  
requesting, by a remotely arranged computer, data for remote maintenance of an application computer (O'Flaherty, col.4, line 30-41 and col.5, line 22-39)  
transmitting the data upon the request of a remotely arranged computer  
(O'Flaherty, col.4, line 30-41 and col.5, line 22-39).

Regarding **claim 11**, O'Flaherty discloses a data protection module for remote access to sensitive data of an application computer comprising:

an application request input by which the application computer can transmit the sensitive data to the data protection module (O'Flaherty, col.4, lines 30-41 and col.7, line 66-col.8, line12)

an identification mechanism configured to identify constituent data of the sensitive data (i.e. hidden information on the spreadsheet, O'Flaherty, col. 8, line 13-22)

an exclusion mechanism configured to exclude the identified constituent data parts (O'Flaherty, col.4, lines 42-53 and col.9, lines 53-65)

an output configured to output the sensitive data without the constituent data parts (O'Flaherty, col.15, lines 18-37).

Regarding **claim 12**, O'Flaherty further discloses the data protection module wherein the constituent data parts comprises at least one of name, age, and address (O'Flaherty, col.8, line 62-col.10, line 3).

Regarding **claim 13**, O'Flaherty further discloses the data protection module wherein the data protection module is configured as at least one of a card that is installable in the application computer, a device that can be connected to the application computer (O'Flaherty, fig.1, 160, col.5, lines 22-39) and an integral component of the application computer.

Regarding **Claim 14** is rejected for the same reason as discussed in the corresponding claim 2 above.

Regarding **Claim 15** is rejected for the same reason as discussed in the corresponding claim 3 above.

Regarding **Claim 16** is rejected for the same reason as discussed in the corresponding claim 4 above.

Regarding **claim 19**, O'Flaherty further discloses a position detection mechanism configured to identify the constituent data parts based on a position of data within the sensitive data (O'Flaherty, col.7, line 66-col.8, line 23).



Regarding **claim 20**, O'Flaherty further discloses the data position is related to at least one of a name data field and address data field (O'Flaherty, fig. 2, 232, 244, col.7, line 66-col.8, line 23).

Regarding **claim 22**, O'Flaherty further discloses a data connection to a remotely arranged computer via which a request of the remotely arranged computer for transmission of the sensitive data can be received (O'Flaherty, col.4, line 30-41)

a data connection via which the request for the transmission of sensitive data can be transmitted to an application computer, the application computer having a data connection via which the sensitive data can be received by the application computer (O'Flaherty, col.4, line 30-41);

a data connection via which the sensitive data can be transmitted to the remotely arranged computer (O'Flaherty, Fig.1, 100,102,104,106, and 126col.3, line 63-67).

Regarding **claim 23**, O'Flaherty further discloses a data connection to a storage that comprises identification data for identification of a remotely arranged maintenance computer, wherein the remotely arranged maintenance computer is identifiable by the data protection module using the identification data, and that data can only be transmitted to a remotely arranged computer depending on a result of the identification (O'Flaherty, col.15, line 12-37).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17-18 and 21 are rejected under 35 U.S.C. 103 (a) as being unpatentable over O'Flaherty et al. U.S. (6,253,203) In view of Roginsky et al. (U.S. 2003/0084339).

Regarding **claim 17**, O'Flaherty discloses data view mask. O'Flaherty fails to disclose an access mechanism to search mask storage, and a search mask comparison mechanism configured to identify the constituent data parts based on content of the search mask storage. However, Roginsky, in the same field of endeavor, discloses an access mechanism to search mask storage, and a search mask comparison mechanism configured to identify the constituent data parts based on content of the search mask storage (Roginsky, paragraphs 0020, 0021 and 22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Roginsky's method to access in O'Flaherty's method. The motivation would have been protecting sensitive information transmitted over network securely and efficiently (Roginsky, paragraph 0009).

Regarding **claim 18**, O'Flaherty further discloses data view mask. O'Flaherty fails to disclose the search mask storage comprises at least one of data search mask and an address-specification search mask. However, Roginsky, in the same field of endeavor, discloses the search mask storage comprises at least one of data search mask (Roginsky, paragraphs 0021 and 0022).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Roginsky's method to access in O'Flaherty's method. The motivation would have been protecting sensitive information transmitted over network securely and efficiently (Roginsky, paragraph 0009).

Regarding **claim 21**, O'Flaherty fails to disclose an image data processor configured to process screen content or a video frame, the image data processor being further configures to identify the constituent data parts based on sensible content of the screen content or video frame. However, Roginsky, in the same field of endeavor, discloses an image data processor configured to process screen content or a video frame, the image data processor being further configures to identify the constituent data parts based on sensible content of the screen content or video frame (Roginsky, paragraph 0007).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Roginsky's method to access in

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O'Flaherty's method. The motivation would have been protecting sensitive information transmitted over network securely and efficiently (Roginsky, paragraph 0009).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dresel et al., U.S. Patent No. (6,170,019), discloses a device for operating an apparatus includes a server, a central monitoring module, an apparatus for communicating between the sever and the monitor module.

Schneck et al., U.S. Patent No. 6,108,583, discloses a system and method for data communication with adaptive security in which a send host transmits a data stream to a receive host in packets which contain an authentication data block with an authentication header and a signature block.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ibrahim Hossain whose telephone number is 571-272-9593. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IH

04/19/2007

  
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